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16 BAXTER INTERNATIONAL INC.
17 and BAXTER HEALTHCARE CORPORATION

18 UNITED STATES DISTRICT COURT
18 FOR THE NORTHERN DISTRICT OF CALIFORNIA
19 OAKLAND DIVISION
20 FRESENIUS USA, INC., a Massachusetts
20 corporation; and FRESENIUS MEDICAL
21 CARE HOLDINGS, INC., a New York
21 corporation,,

Case No. C 03-1431 SBA (EDL)

22 Plaintiffs and Counter-Defendants,
23 v.
24 BAXTER INTERNATIONAL INC., a
24 Delaware corporation; and BAXTER
25 HEALTHCARE CORPORATION, a Delaware
25 corporation,,
26 Defendants and Counter-Plaintiffs.

**ORDER GRANTING
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL THE MOTION TO BAR
FRESENIUS' PROFFERED DAMAGES
EXPERT PROFESSOR RUBINFELD
AND
EXHIBITS 1, 3, 4, 5, 6, 7, AND 8 TO THE
DECLARATION OF PATRICK
KELLEHER IN SUPPORT OF SAID
MOTION**

27 Date: April 11, 2006

27 Time: 1:00 P.M..

28 Hon. Saundra Brown Armstrong

1 The Court having considered Baxter International Inc. and Baxter Healthcare Corporation's
2 Administrative Motion to File Under Seal certain documents, and good cause appearing pursuant to
3 Civil Local Rules 7-11 and 79-5(d),

4 IT IS HEREBY ORDERED that the clerk's office shall accept for filing under seal the
5 previously-lodged sealed copies of the following documents:

7 1. Baxter's Motion to Bar Fresenius' Proffered Damages Expert Professor
8 Rubinfeld; and
9 2. Exhibits 1, 3, 4, 5, 6, 7 and 8 to the Declaration of Patrick Kelleher in
10 Support of Baxter's Motion to Bar Fresenius' Proffered Damages Expert
 Professor Rubinfeld

11 IT IS SO ORDERED.

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13 DATED:3/9/06

14 CH02/ 22441122.2

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 HON. JUDGE SAUNDRA BROWN ARMSTRONG
 JUDGE OF THE U.S. DISTRICT COURT